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PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application	08/286,189	
	Filing Date	August 5, 1994	
	First Named	Sonia E. Sanhueza	
	Group Art Unit	1641	
	Examiner Name	J. Parkin	
Total Number of Pages in This Submission	6	Attorney Docket Number	1038-384 MIS

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (24,973)
Signature	
Date	August 6, 2001

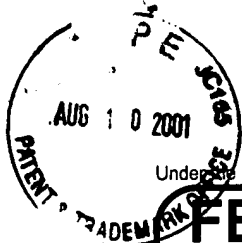
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name			
Signature		Date	

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

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Application Number	08/286,189
Filing Date	August 5, 1994
First Named Inventor	Sonia E. Sanhueza
Examiner Name	J. Parkin
Group Art Unit	1641
Attorney Docket No.	1038-384 MIS

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TOTAL AMOUNT OF PAYMENT

\$1,350.00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

☐ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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Fee Paid

101	710	201	355	Utility filing fee
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106	320	206	160	Design filing fee
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107	490	207	245	Plant filing fee
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108	710	208	355	Reissue filing fee
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114	150	214	75	Provisional filing fee
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SUBTOTAL (1)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 0	X	0.00
Independent Claims	-3** = 0	X	0.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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103	18	203	9	Claims in excess of 20
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102	80	202	40	Independent claims in excess of 3
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104	270	204	135	Multiple dependent claim, if not paid
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109	80	209	40	** Reissue independent claims over original patent
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110	18	210	9	** Reissue claims in excess of 20 and over original patent
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SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	1,240.00
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) <u>Terminal Disclaimer</u>					110.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$1,350.00

SUBMITTED BY

Name (Print/Type)

Michael I. Stewart

Registration No.
(Attorney/Agent)

24973

Telephone

(416) 595-1155

Signature

Michael I. Stewart

Date

August 6, 2001

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Sonia E. Sanhueza et al.
Appl'n. No. : 08/286,189
Filed : August 5, 1994
Title : INACTIVATED RESPIRATORY SYNCYTIAL VIRAL VACCINES
Grp./A.U. : 1641
Examiner : J. Parkin
Docket No. : 1038-384 MIS:jb

August 6, 2001

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The Commissioner of Patents
and Trademarks,
Box DAC
Washington, D.C. 20231,
U.S.A.

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OFFICE OF PETITIONS

**PETITION UNDER 35 USC 1.137 (b) FOR
REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

This communication is being submitted in response to the Decision on Petition dated June 11, 2001. Reconsideration of the denial of the Petition to revive under 37 CFR 1.137(a) filed March 7, 2001 is requested.

The Petition was denied on the basis that:

- (1) There was no showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unavoidable.
- (2) A terminal disclaimer pursuant to 37 CFR 1.137(c) was not filed.
- (3) It is hereby stated, under the signature of the undersigned, that the abandonment was unintentional and that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional.

In the Decision, it is indicated that no corroborative documentary evidence was submitted to support the facts outlined in the Petition of March 7, 2001 and that the Petition did not indicate when the abandonment came to the applicants attention.

With respect to the need for a Terminal Disclaimer, this document is enclosed, along with the prescribed fee. Since it is not known the period of abandonment, such period depending on the timing of revival of this application, the terminal disclaimer has been left blank for completion by the Office.

The factual situation concerning the abandonment of this application is set forth in the Petition under 37 CFR 1.137(a) filed March 7, 2001. Under the circumstances and having regard to this Petition, it is submitted that this application should be revived.

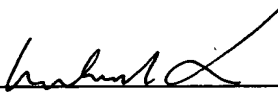
It is noted that the extension of time fee is being refunded.

With respect to the address of record, the correct address is as follows:

330 University Avenue
6th Floor,
Toronto, Ontario
Canada, M5G 1R7.

When we moved from Suite 701 to the 6th Floor of 330 University Avenue in 1998; the office was advised of this change and was requested to correct its records globally. Unfortunately, there exist a number of files, including this one, where the old address is still showing the PTO records.

Respectfully submitted,



M.I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 595-1155
FAX No. (416) 595-1163

CERTIFICATE UNDER 37 CFR 3.73(d)

Applicant: Sonia E. Sanhuesa et al

Application No: 08/286,189

Filed: August 5, 1994

Entitled: INACTIVATED RESPIRATORY SYNCYTIAL VIRAL VACCINES



Connaught Laboratories Limited, a Corporation
(Name of Assignee) (Corporation, Partnership, University, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A.☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7150, Frame 0232, or for which a copy thereof is attached.

OR

B.☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From: To:
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

August 6, 2001

Date

Michael I. Stewart

Signature

Michael I. Stewart

Typed or printed name

Agent of Record

Title